

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 24-03073-01-CR-S-BCW
)	
SHAWN O. BELL,)	
)	
Defendant.)	

ORDER

Before the Court is Defendant’s “Motion to Suppress Evidence of All Electronical Surveillance” received by the Court on April 16, 2025. (Doc. 59.) Defendant, who represents himself in this action, is currently detained at the Phelps County Jail and is awaiting trial. He moves to “suppress all electronical surveillance subsequent to and in connection with” search warrants issued in November 2022. *Id.* at 1. This action has been referred to the undersigned to hear and process all pretrial motions to suppress evidence.

Fed. R. Crim. P. 12(b)(3) sets forth defenses, objections, and requests that “must be raised by pretrial motion if the basis for the motion is then reasonably available and the motion can be determined without a trial on the merits.” The court may set a deadline for pretrial motions. Fed. R. Crim. P. 12(c). In this matter, on August 13, 2024, Defendant appeared for arraignment and the undersigned issued a Scheduling and Trial Order which set a clear and unambiguous deadline of September 12, 2024, for any relevant pretrial motions. (Doc. 12.) Thereafter, defense counsel moved for and was granted an extension of time, to October 4, 2024, to file any relevant pretrial motions. (Docs. 18-19.) No further extensions of time were requested or granted. As a result, Defendant’s “Motion to Suppress Evidence of All Electronical Surveillance” was filed over six months after the October 4, 2024, deadline to do so expired.

Therefore, Defendant's "Motion to Suppress Evidence of All Electronical Surveillance" (doc. 59) is **DENIED without prejudice**, as it was filed out of time and without leave to do so. This action remains set for trial on the Joint Criminal Trial Docket commencing on June 2, 2025. The Clerk's Office is directed to send a copy of this Order and the Notice of Electronic Filing to Defendant via regular mail.

IT IS SO ORDERED.

/s/ David P. Rush
DAVID P. RUSH
UNITED STATES MAGISTRATE JUDGE

DATE: April 18, 2025